

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

MITSUBISHI DIGITAL
ELECTRONICS AMERICA, INC.,

Appellant,

v.

Civil Action No. 3:10cv202

CIRCUIT CITY STORES, INC.,

Appellee.

ORDER

Having reviewed the CONSENT MOTION FOR ORDER DISMISSING APPEAL WITH PREJUDICE (Docket No. 46) and the Notice of Proposed Settlement Agreement and Stipulation by and Among the Debtors and Apex Digital, Inc. and Hain Capital Holdings, LLC (Bankr. Ct. Docket No. 7365) and this Court observing that the Appellant, Apex Digital, Inc., consents to the dismissal of this appeal with prejudice, it is hereby ORDERED that the CONSENT MOTION FOR ORDER DISMISSAL APPEAL WITH PREJUDICE (Docket No. 46) is granted. It is further ORDERED that the appeal proceedings against Appellant, Apex Digital, Inc., is dismissed with prejudice.

It is so ORDERED.

RLW /s/
Senior United States District Judge

Richmond, Virginia
Date: June 4, 2010

(10cv202)

CERTIFICATE OF NOTICE

District/off: 0422-7
Case: 08-35653

User: frenchs
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Page 1 of 1
Total Noticed: 1

Date Rcvd: Jun 11, 2010

The following entities were noticed by first class mail on Jun 13, 2010.
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I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 13, 2010

Signature:

